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RESPONSE TO REPORT DATED 15/8/08

FROM

FRANK CUNNINGHAM

FAXED TODAY

10 pages

APPLICATION 10/583,520

ART UNIT 3743

Please acknowledge receipt by email

Tcun95@aol.com

Or by tel (int code) 0161 492 0715

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NOV 17 2008

Frank Cunningham
95 Kearsly Rd
Crumps all
Manchester
M8 4QJ

Email – fcun95@aol.com
Tel (international code

UK) 0161 492 0715

Application Number

10/583,520

F.A.O. Daniel Bernstein
Patent examiner
United States Patent Office
USA

Dear Daniel

Thank you for your report dated 15th August 2008.

Further to our recent telephone conversation I would like to reply in detail to your report. If you remember you said I could submit another description so long as it does not go beyond what was already sent and that I could also include drawings to help describe the invention better.

I will take your advice and file a better description with drawings in order to progress the patent. I would like to attach my response to your official report before the 18th November 2008 and it may be better if I email you this document to make this deadline and save \$65 dollars on a months extension.

Please let me know you have received this in time. I will try to respond to your report in a detailed way and in the same format as your report section by section to make it easier for me starting with paragraph 1 on your report at page 4

1. I agree with you here I am not fully familiar with the procedures of the US patent office but I do have some experience with the UK patent office and will try my best to work through the process
2. I will space my other description double spaced and put a proper title to it
3. I will amend this claim accordingly

4. I will take your advice and redo the specification accordingly
5. I will attach drawings and work further on the specification to be more in line with the US patent office procedures
6. With great respect the other inventions you have referred to are not the same as what is in the drawings and specification and could not have been so as self cleaning glass is a very recent development (see "pilkington" glass company UK) and it appears no one anywhere has thought to use this very specific glass especially in the manner I have stated in the specification and drawings.
7. I agree with you that some of what I have put can appear non-limiting but that was not my intention. I was trying to describe something that has not existed before and this is I am sure you would agree very difficult to do as there is no like for like or comparison to compare it with. The Carbon Trust based in the UK also understood the idea and quoted references that appeared to strongly favour the idea as original and showing great potential.
8. I can only say again that with respect I say that when this is seen in the drawings and further specification it is not anticipated and this is evidenced because I have been contacted by interested parties in the USA who wanted a percentage of the idea for help to get the invention to market. I ended up speaking to them on the phone and they understood the invention and agreed with me there appeared nothing like it anywhere. The interested parties also said the idea was very timely in light of the problems with oil shortages in the US and worldwide problems on energy demands. (I can also send details to prove this if you would like me to)
9. When we spoke on the phone you suggested a further description and drawings as long as they do not go beyond what is already detailed would deal with the issue of obviousness as set out in this particular paragraph.
10. With respect Daniel the prior art of Warrick and Malone according to your report was prior art that was around many years before (Malone was 1982 some 25yrs before) the advent of self cleaning glass which is a very recent development by Pilkinton glass company UK and therefore the prior art could not have anticipated what I have drawn and described in detail in the specification and this is further evidenced by the interest in my patent from a US company who said my idea was timely and they noticed its potential.

They do not want money but a percentage of the patent to help get the idea to market.

11. I agree with you that some prior art may appear on the face of it to teach a little of what I am talking about but this is minor and my patent appears to have significant inventive step over all that has gone before with the use of self cleaning glass in such a way that no one has ever described or drawn before.
12. This paragraph and up to paragraph 14 refers to procedures and help available from the US patent office. Please understand I do not wish anything from this patent other than to make a living as I am disabled and unemployed with my disability (lost leg in a car accident) making it more difficult for me to work especially in my previous profession as an automobile mechanical engineer. Innovation is the lifeblood of the US economy and I have many ideas like this one and better but cannot bring these forward until this matter is resolved.

Thank you for your report and I look forward to hearing from you regarding this response and amended claims, specification, and drawings

Best regards


Frank Cunningham